

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----x

UNITED STATES OF AMERICA

STIPULATION AND ORDER

- against -

18 CR 681 (WFK)

JEAN BOUSTANI, et al.

Defendants.

-----x

WHEREAS, the materials to be provided by non-Party ICE Canyon LLC in response to a subpoena issued by Defendant, Jean Boustani in the above-captioned case (hereinafter, the "Subpoena Materials") may contain financial information and personally identifiable information regarding various specific individuals, including information relating to the bank accounts, addresses, and financial-account information for specific corporations (collectively hereinafter "Confidential Information"),

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned that:

1. The Subpoena Materials can be used by the defendant and his defense counsel in this matter only for purposes of trial preparation, defense at trial against the charges set forth in the above-captioned indictment, sentencing, and any related appellate matters arising from the above-referenced trial.
2. Absent further order of the Court, the defendant and his defense counsel may not disclose or disseminate the Subpoena Materials containing Confidential Information (even if the Confidential Information has been redacted) contained in those documents to anyone who has not signed this Stipulation and Order, other than to investigative, secretarial, clerical, and student personnel, or any interpreter or translator, employed full-time or part-time by the defendant's

counsel; independent expert witnesses, investigators, or advisors retained by the defendant's counsel; and potential witnesses and their counsel, who first are advised of and agree to be bound by the terms of this Stipulation and Order. If the defendant, his defense counsel, or anyone else who has received Subpoena Materials containing Confidential Information from the defendants or their counsel pursuant to the terms of this Stipulation and Order seeks to make further disclosure or dissemination of the Subpoena Materials with Confidential Information (even if the Confidential Information has been redacted), notice must first be provided to ICE Canyon LLC and the Court, and such notice must be given sufficiently in advance of the contemplated disclosure or dissemination so as to permit briefing and argument on the propriety thereof.

3. In the event that the defendant seeks to file Subpoena Material with the Court or otherwise use Subpoena Materials during a court proceeding, the defendant and his counsel will comply with Rule 49.1(a) of the Federal Rules of Criminal Procedure, will ensure that court transcripts are appropriately redacted to protect Confidential Information, and will seek permission from the Court to offer the redacted versions of Subpoena Material into evidence unless it is necessary to offer the unredacted version.

4. The defendant and his defense counsel will return to ICE Canyon LLC all copies of the Subpoena Materials provided by ICE Canyon LLC in this case at the conclusion of this matter, specifically either within 30 days of (a) a verdict of acquittal rendered by a jury, (b) the date of sentencing if no appeal is filed, (c) the issuance of an appellate decision rendering a final judgment, or (d) the conclusion of any collateral appeal or attack on any decision.

5. Any violation of this Stipulation and Order will be raised with and determined by the Court, and may result in sanctions to be imposed by the Court.

Dated: Brooklyn, New York

October 16, 2019

SIDLEY AUSTIN LLP

By:

Joan M. Loughnane, Esq.
Joan M. Loughnane
787 Seventh Avenue
New York, New York 10019
(212) 839-5300

Anna Tutundjian
555 West Fifth Street, Suite 4000
Los Angeles, California 90013
(213) 896-6000

Attorneys for Non-Party
ICE CANYON LLC

WILLKIE FARR & GALLAGHER LLP

By:

David W. M. Jackson
Michael Schachter
Randall Jackson
Casey Donnelly
787 Seventh Avenue
New York, New York 10019
(212) 728-8000

Attorneys for Defendant
JEAN BOUSTANI

So Ordered.

s/WFK

THE HONORABLE WILLIAM F. KUNTZ
CHIEF UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK